

Application No: 10/519,852  
Amendment dated July 21, 2006  
Reply to Office Action Dated April 18, 2006

Attorney Docket No: 3883.022

**REMARKS**

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Claims 1-3 and 6-7 are pending in the application. Claim 1 has been amended. Claims 4-5 have been previously cancelled.

**Specification**

The disclosure is objected to because of informalities. More specifically, the Examiner has stated that certain paragraphs have sentence(s) that do not have proper spacing between each word.

The Examiner's objection is not understood because the spacing is automatically adjusted by the Microsoft Word. Nevertheless, Applicants submit herewith a Substitute Specification, excluding the claims, in order to overcome any potential objection. The Substitute Specification does not introduce any new matter. Since no changes to the content have been made, a marked version showing changes is not required.

**Claim Objections**

The claims are objected to because of informalities.

Appropriate correction has been made.

**Claims Rejections - 35 USC § 102**

Claims 1-3 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Malpee (US 5,774,898).

The rejection has been considered and the language of claim 1 has been modified in an effort to even more clearly define the present invention. The support may be found in paragraph [00019] of the original specification (paragraph [0033] of the Substitute Specification) as well as Fig. 2 of the drawings.

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First, applicants would like to briefly review the present invention.

The present invention concerns a sock, comprising:

a toe section that covers the toes and is knitted completely into a flat tubular shape, said toe section includes a sole section covering the bottom part of the toes and an instep section covering the top part of the toes,

a bulge section formed in the middle part in the length direction of said toe section, and wherein said bulge section is formed with said toe section so as to be in a T-shape when viewed in a side view in the middle part in the length direction of the toes in a location such that it covers the bottom half of said toes.

As can be clearly seen from Fig. 2 of the instant application, the bulge section (11) is formed in the middle part of the toe section (10) and is formed with the toe section so as to be in T-shape when viewed in a side view (in the length direction). This feature is clearly not disclosed by Malpee.

Malpee discloses a foot protective covering designed for beach and water wear. The Examiner has identified the toe base section 7 as shown in Malpee as a bulge section. However, the toe base section 7 of Malpee is not a bulge section formed in the middle part of the toe section, rather it is itself the toe section. Also, it is noted that the toe base section 7 of Malpee is not in a T-shape when viewed in a side view.

The sock according to the present invention has the following advantages:

1) when putting the sock on, the toes can be inserted smoothly, and after the sock is put on, there is space around the toes due to the bulge section, and thus it is possible to avoid a feeling of excessive constriction (see paragraph [0008] of the original specification and paragraph [0009] of the Substitute Specification);

2) by using this kind of construction, it is possible to make the shape of the toe section after the sock has been put on close to the shape of the toes, and thus it is possible to further

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improve the fit and feeling of constriction (see paragraph [00010] of the original specification and paragraph [0012] of the Substitute Specification);

3) when inserting the toes into the toe section 10, the resistance to the insertion is reduced, and a good fit is obtained, and since there is little stretching in the bulge section 11 after being put on, the constrictive force applied to the toes is reduced, and as a result, the feeling of constriction is reduced and a comfortable fit is obtained (see paragraph [00024] of the original specification and paragraph [0038] of the Substitute Specification);

4) easy to fold.

Claim 1 is, therefore, believed to be patentable over Malpee and since all the dependent claims are dependent on claim 1, they are believed to be patentable as well.

Claims Rejections – 35 USC § 103

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Malpee.

Since claim 6 is dependent on claim 1, it is believed to be patentable as well.

Favorable consideration and early issuance of the Notice of Allowance are respectfully requested. Should further issues remain prior to allowance, the Examiner is respectfully requested to contact the undersigned at the indicated telephone number.

Respectfully submitted,



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